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7 UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF WASHINGTON  
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10 UNITED STATES OF AMERICA,

No. 2:17-CR-00128-RMP-1

11  
12 Plaintiff,

ORDER MODIFYING  
CONDITIONS OF PRETRIAL  
RELEASE

13 v.

14 DAVID M. BERARDUCCI,

**MOTION GRANTED  
(ECF No. 216)**

15  
16 Defendant.  
17

18 Before this Court is Defendant's Motion for Modification of Pretrial Release  
19 Conditions (Unopposed). ECF No. 216. Specifically, Defendant asks the Court to  
20 modify Special Condition of Release No. 28, which requires Defendant to  
21 participate in an electronic monitoring program which includes the wearing of a  
22 GPS ankle monitor.

23 Defendant, through counsel, recites that since his initial appearance before  
24 this Court, he has obtained employment in concrete construction and that the anklet  
25 interferes with his ability to wear appropriate footwear (steel-toed boots) at his job.  
26 ECF No. 216 at 2-3. Defendant further reports that he has been compliant with the  
27 terms of his supervised release, with no violations or missed appointments. ECF  
28 No. 216 at 2.

1 Defendant, through counsel, has contacted both the United States and U.S.  
2 Probation regarding this request and reports that neither opposes the proposed  
3 modification.

4 Therefore, **IT IS HEREBY ORDERED**, that Defendant's Motion, **ECF**  
5 **No. 216**, is **GRANTED**.

6 Special Condition of Pretrial Release No. 28 is stricken. All previously  
7 ordered conditions not inconsistent herewith to remain in full force and effect.

8 **IT IS SO ORDERED.**

9 DATED November 1, 2017.

A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE